

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF SCIENCE AND TECHNOLOGY POLICY
WASHINGTON, D.C. 20502

October 08, 2019

Sai
80222-21931098@requests.muckrock.com

Re: OSTP-FOIA-19-078

Dear Sai:

This letter acknowledges a Freedom of Information Act (henceforth “FOIA”)¹ request submitted to the Office of Science and Technology Policy (hereinafter “OSTP”) on September 11, 2019. The request specifically sought:

- “[☐] All
 - a) contracts[☐],
 - b) for which Office of Science and Technology Policy (Executive Office of the President), or any subcomponent thereof, is a signatory,
 - c) particularly relating to FOIA request processing, such as software, services, contractors, etc used by the component's FOIA office.”

In accordance with the FOIA, OSTP uses a multitrack processing system when reviewing FOIA requests.² Requests within each track are processed on a “first-in, first-out” basis.³ Track one is for “requests of simple to moderate complexity that are expected to be completed within 20 working days.”⁴ Track two “is for requests involving ‘unusual circumstances,’ . . . that are expected to take more than 20 working days to complete.”⁵ Requests that seek and receive expedited processing are prioritized above each of the aforementioned tracks and “OSTP may take [such] requests out of order” to process them more quickly.⁶ To qualify for expedited processing, one of the following compelling needs must be met:

- 1) That failure to obtain requested records on an expedited basis could reasonably be expected to pose an imminent threat to the life or physical safety of any individual; or
- 2) That a request is made by a person primarily engaged in disseminating information, and the person establishes that there is an urgency to inform the public concerning actual or alleged Federal Government activity.⁷

¹ 5 U.S.C. § 552.

² 5 U.S.C. § 552(a)(6)(D); 32 C.F.R. § 2402.5(c).

³ 32 C.F.R. § 2402.5(c).

⁴ *Id.* at § 2402.5(c)(1).

⁵ *Id.* at § 2402.5(c)(2).

⁶ *Id.* at § 2402.5(d).

⁷ *Id.* at § 2402.5(d)(i)-(ii).

This request is designated as a track one request. However, there are several pending requests that were received prior to the instant request. Accordingly, it is anticipated that the processing time will extend beyond 20 working days. Once the records review process is completed, responsive documents will be immediately released to the extent permitted by any applicable FOIA exemptions.

Please note that requesters have the right to seek dispute resolution services regarding their requests from OSTP's FOIA Public Liaison or the Office of Government Information Services (hereafter "OGIS"). To employ these services, please contact Nicholas Wittenberg via telephone at (202) 456-4444 or by e-mail at OSTPFOIA@ostp.eop.gov. To contact OGIS, please use the following contact information:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphia Road-OGIS
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Telephone: (202) 741-5770
Fax: (202) 741-5769
Toll-free: 1 (877) 684-6448

Finally, this request is considered an "other non-commercial request."⁸ Therefore, this request will only be subject to certain search and duplication costs.⁹ Pursuant to OSTP regulations, the requester is entitled to the first 100 pages of copies and first two hours of search time at no charge.¹⁰ For duplication exceeding the first 100 pages and search time that exceeds two hours, OSTP will charge the "direct costs of the[] services [rendered], including the average hourly salary (base plus locality payment plus 16 percent) for the employee[]"¹¹ performing the service.

If you have any questions, please do not hesitate to contact me via telephone or e-mail.

Sincerely,



Nicholas Wittenberg
Legal Counsel

⁸ *Id.* at § 2402.8(b)(1)(iii).

⁹ *Id.* at § 2402.8(b)(1)(iii), (3).

¹⁰ *Id.* at. § 2402.8(b)(1) (iii), (3).

¹¹ *Id.* at. § 2402.8(b).